

Revised 9/21/87 #537  
PETITION FOR ZONING VARIANCE  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: AMENDMENT TO THE FINAL DEV. PLAN

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1804.3.B.3 to permit side yard setbacks of 40 ft. in lieu of the required 50 ft. each and to amend the final development plan on lot #6, block G, Section 5, Quinn Subdivision.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)  
Current restrictions provide for a 50' setback on each side (width) of the property. With a total property width of 170', the widest house that can currently be built is 70'. The width of the house that the owner wants to build is 90'. Therefore, a 10' variance on each side (width) is requested.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):  
(Type or Print Name) Gary G. Terrinoni  
Signature (Type or Print Name) Celeste C. Terrinoni  
Address (Type or Print Name) 61 Valley Ridge Loop  
City and State Hunt Valley, Md. 21030  
Attorney for Petitioner: 61 Valley Ridge Loop #667-9148  
(Type or Print Name) Address Phone No.  
Signature Hunt Valley, Md. 21030  
Address City and State  
Attorney's Telephone No.: 61 Valley Ridge Loop #667-9148  
Address Phone No.  
Hunt Valley, Md. 21030  
City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of September 1987, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 28th day of October 1987, at 9:00 o'clock  
M.

J. Robert Haines  
Zoning Commissioner of Baltimore County.

### CERTIFICATE OF PUBLICATION

TOWSON, MD. Oct 7 1987  
THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Oct 7 1987

TOWSON TIMES,

Susan Shindler O'Brien  
Publisher

### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

Date of Posting 10/13/87

District 107  
Posted for: Variance  
Petitioner: Gary G. Terrinoni et al  
Location of property: 61 Valley Ridge Loop, 1265' S of Sweet Air Rd.  
Location of Sign: 61 Valley Ridge Loop, 1265' S of Sweet Air Rd.  
Remarks: Ours property of P. Haines  
Posted by: [Signature]  
Number of Signs: 1

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
E/S of Kincaid Road, 1265 \* ZONING COMMISSIONER  
ft. south of c/l of Sweet \* OF BALTIMORE COUNTY  
Air Road (13 Kincaid Road) \* CASE NO. 88-15-A  
10th Election District  
6th Councilmanic District  
Gary G. Terrinoni, et ux  
Petitioners

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a side yard setback of 40 feet in lieu of the required 50 feet on each side and to amend the final development plan on lot #6, block G, Section 5, Quinn subdivision, as more particularly set forth on Petitioners' Exhibit 1. During the hearing the petitioner requested an amendment of his petition to allow a side yard setback variance of 44 feet and not the 40 feet, as requested, on the south side of the proposed house, next to lot 15.

The Petitioner appeared and testified. The only Protestant was Darrell Fletcher, the owner of lot 15.

The testimony established that the subject property is an unimproved lot, 170 feet by 270 feet on Kincaid Court off of Sweet Air Road. The property is zoned R.C.5 and the Owner/Petitioner wishes to construct a single family dwelling unit approximately 86 to 90 feet long. The building setback requirements would not permit the construction of this size home and, therefore, pursuant to Section 307 of the Baltimore County Zoning Regulations, a variance has been requested of Section 1804.3.B3 of the Baltimore County Zoning Regulations.

The design of the proposed dwelling unit is such that to be properly balanced, and to have the proper roof lines, the house must be at least 86 feet long. The Protestant stated that he would not like to see a 10 foot variance granted on his side, because the house would be too close to his

home. Also, the nature of the houses in the community are mostly more than 80 to 90 feet apart. He has a 6 foot side yard variance on his home.

In my opinion the testimony of the Petitioner seems to indicate that the requirements of Section 307 have been met. The variance requested would not increase density and would not substantially injure the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and the public hearing having been held upon the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in a practical difficulty and unreasonable hardship upon the Petitioner, the amended variance request should be granted with some restrictions.

Therefore, it is Ordered by the Zoning Commissioner of Baltimore County this 27th day of October, 1987 that the herein amended Petition for Variance of 40 feet in lieu of the required 50 feet on the north sided of the subject property and a side yard setback of 44 feet in lieu of the required 50 feet on the south side of the subject property and to amend the final development plan on lot #6, block G, Section 5, Quinn Subdivision, be and hereby is GRANTED, from and after the date herein, subject to the following conditions:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

J. Robert Haines  
ZONING COMMISSIONER OF  
BALTIMORE COUNTY

JRH:mm  
cc: Darryl Fletcher  
cc: Peoples Counsel

### PETITION FOR ZONING VARIANCE

10th Election District - 6th Councilmanic District  
Case No. 88-145-A

LOCATION: East Side of Kincaid Road, 1265 feet South of Centerline of Sweet Air Road (13 Kincaid Road)

DATE AND TIME: Wednesday, October 28, 1987, at 9:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit side yard setbacks of 40 feet in lieu of the required 50 feet for each and to amend the final development plan as to Lot 6, Block G, Section 5, Quinn Subdivision

Being the property of Gary G. Terrinoni, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

J. ROBERT HAINES  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4500

Paul H. Heinke  
Chief

July 2, 1987

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Dennis F. Rasmussen  
County Executive

Re: Property Owner: Gary G. Terrinoni, et ux

Location: E/S Kincaid Road, 1265' S. C/1 Sweet Air Road

Item No.: 537

Zoning Agenda: Meeting of 6/30/87

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] Noted and Approved: [Signature]  
Planning Group Prevention Bureau  
Special Inspection Division

/s/

### ZONING DESCRIPTION

Beginning on the E/S of Kincaid Road 1265 ft. S. of the centerline of Sweet Air Road. Being Lot # 6, Block G, Section 5, Quinn Subdivision 51/70. Containing 1.054 Ac. in the 10th. election district. Would be known as #13 Kincaid Road.

88-145-A

### BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 21st day of September, 1987.

J. Robert Haines  
ZONING COMMISSIONER

Petitioner: Gary G. Terrinoni, et ux Received by: James E. Dyer  
Attorney: \_\_\_\_\_ Chairman, Zoning Plans  
Advisory Committee

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Building, Suite 408  
Towson, Maryland 21204  
494-3334

Dennis F. Rasmussen  
County Executive

July 10, 1987

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Jablon:

The Bureau of Traffic Engineering has no comments for items number 529, 530, 532, 533, 536, 537, 538, 539, and 540.

Very truly yours,

Michael S. Flanigan  
Traffic Engineer Associate II

MSF:lt





BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

J. ROBERT HAINES  
ZONING COMMISSIONER

October 21, 1987

Mr. Gary G. Terrinoni  
Mrs. Celeste C. Terrinoni  
61 Valley Ridge Loop  
Hunt Valley, Maryland 21030

Re: PETITION FOR ZONING VARIANCE  
E/S Kincaid Rd., 1265' S of c/l of Sweet  
Air Rd. (13 Kincaid Rd.)  
10th Election District - 6th Councilmanic District  
Gary G. Terrinoni, et ux - Petitioners  
Case No. 88-145-A

Dear Mr. and Mrs. Terrinoni:

This is to advise you that \$100.48 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner

JRH:med

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 37967

DATE 10/28/87 ACCOUNT R-01-415-0001

SIGN & POST  
RETURNED AMOUNT \$ 107.48  
Mr. Gary G. Terrinoni, 61 Valley Ridge Loop,  
Hunt Valley, Md. 21030

RECEIVED FROM: ADVERTISING & POSTING RE CASE #88-145-A

FOR: B B003\*\*\*\*\*130461a 2206F

VALIDATION OR SIGNATURE OF CASHIER

Mr. Gary G. Terrinoni  
Mrs. Celeste C. Terrinoni  
61 Valley Ridge Loop  
Hunt Valley, Maryland 21030

September 22, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE  
E/S Kincaid Rd., 1265' S of c/l of Sweet  
Air Rd. (13 Kincaid Rd.)  
10th Election District - 6th Councilmanic District  
Gary G. Terrinoni, et ux - Petitioners  
Case No. 88-145-A

TIME: 9:00 a.m.

DATE: Wednesday, October 28, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake  
Avenue, Towson, Maryland

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner

No. 37646

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE 10/27/87 ACCOUNT 01-05-000

AMOUNT \$ 35.00

RECEIVED FROM: Gary Terrinoni

FOR: Van # 537

B B007\*\*\*\*\*35001a 8166F

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines  
TO: Zoning Commissioner

Date: September 30, 1987

Norman E. Gerber, AICP  
FROM: Director of Planning and Zoning  
Zoning Petitions No. 88-145-A  
SUBJECT: 88-146-A, 88-157-SPH

There are no comprehensive planning factors requiring comment on the above numbered petitions.

*Norman E. Gerber*  
Norman E. Gerber, AICP  
Director

NEO:KAK:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel  
File

RECEIVED  
OCT 8 1987

ZONING OFFICE

CPS-008

October 5, 1987

Mr. and Mrs. Gary G. Terrinoni  
61 Valley Ridge Loop  
Hunt Valley, Maryland 21030

RE: Item #537 - Petition for Zoning Variance

Dear Mr. and Mrs. Terrinoni:

Thank you for your letter of September 25, 1987.

While I sympathize with your position, at this point there are very few options available to us.

In your letter you stated someone informed you that "this process would be, at the most, 90 days". Pursuant to Article 5, Section 500.2.b your hearing must be scheduled not less than 30 days nor more than 90 days once we accept your petition for filing, i.e., the date the Zoning Commissioner or his designee sets this in for hearing not the day you filed your petition.

It is unfortunate, however in your case, this particular year and time of your filing, we have been receiving approximately 24 petitions per week and we only have the facilities to accommodate 20 hearings per week. Also, with the transition period for the new Zoning Commissioner, hearings were delayed.

Given the circumstances, we have given you the earliest possible date in which the Zoning Commissioner can hear your request for Zoning Variance.

Thank you for your patience and consideration in this matter. If you have any questions, please do not hesitate to contact this office.

Sincerely,

W. CARL RICHARDS, JR.  
Zoning Coordinator

WCR,Jrkkt

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 15, 1987

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

ooo

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Mr. Gary G. Terrinoni  
61 Valley Ridge Loop  
Hunt Valley, Maryland 21030

RE: Item No. 537 - Case No. 88-145-A  
Petitioner: Gary G. Terrinoni, et ux  
Petition for Zoning Variance

Dear Mr. Terrinoni:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:kkt

Enclosures

CERTIFICATE OF PUBLICATION

TOWSON, MD. Oct. 8, 1987

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Oct. 8, 1987.

THE JEFFERSONIAN,

*Susan Sander Shultz*

Publisher

PETITION FOR ZONING VARIANCE  
10th Election District  
6th Councilmanic District  
Case No. 88-145-A

LOCATION: East Side of Kincaid Road, 1265' S of c/l of Sweet Air Rd. (13 Kincaid Rd.)  
DATE AND TIME: Wednesday, October 28, 1987 at 9:00 a.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.

Petition for Zoning Variance to permit side yard setback of 40 feet and to allow the final development plan as shown on the final development plan as shown on the final development plan as shown on the final development plan.

Being the property of Gary G. Terrinoni, et ux, as shown on plat filed with the Zoning Office.

In the event that this Petitioner is granted a building permit, it may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order of:  
J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
10/15/87 G.E.

RECEIVED  
SEP 25 1987  
ZONING OFFICE

Mr. Robert Haines  
Zoning Commissioner  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Dear Mr. Haines,

On June 11, 1987 we filed for a variance in connection with building our home. At that time we were informed that the completion of this process would be at the most 90 days. We have been informed that our variance hearing will be conducted on October 29, 1987, which is well over the 90 day time span quoted by the Zoning Office. If we have to wait for the completion of this process until we can file for our building permit, it appears that we will be breaking ground in December, right at the start of winter. We can not hold off building until Spring since we have already taken the following steps at the start of filing for the variance: 1) Applied for a loan with the bank. 2) Obtained an architect to draw up the house plans and 3) collected numerous bids on building the house, i.e. electric, plumbing, heating, framing, windows, dry wall, alarm system, painting, carpentry, carpentry, etc. Waiting until Spring would result in the expiration of our loan commitment and the expiration of our numerous bids. Therefore, we would again have to apply for a loan which would definitely be at a much higher interest rate and we would probably have the majority of our obtained building prices being set at a much higher rate than we. Both of these situations would place an extreme hardship on us meeting our building budget and could, in all probability, cause us not to be able to afford building. Therefore, we are requesting that your office grant us conditional approval for our variance so we may begin the process of obtaining our building permit in order to expedite our building procedures. Your immediate attention and cooperation into this matter would be deeply appreciated.

*Gary G. Terrinoni*